

EXHIBIT H

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03-md-1570 (GBD)(SN) ECF Case
This document relates to: <i>Thomas Burnett, Sr., et al. v. The Islamic Republic of Iran, et al.</i>	15-cv-9903 (GBD) (SN) ECF Case

DECLARATION OF RICHARD M. BYLICKI

I, Richard M. Bylicki, pursuant to 28 U.S.C. § 1746, do hereby declare under penalty of perjury as follows:

1. I am more than 18 years of age and competent to testify in court to the matters stated below. The statements made in this Affidavit are based on my personal knowledge unless otherwise indicated.

2. I was a citizen of the United States on September 11, 2001, and remain so today. Attached herein as Exhibit A to this Declaration is a true and correct copy of my proof of citizenship.

3. On September 11, 2001, I was present in New York City when the terrorist attacks of the World Trade Center Towers occurred. At the time of these horrific attacks, I was a Sergeant with the New York City Police Department and I worked with the New York City Mayor's Office of Emergency Management (OEM) as a Emergency Management Planner. At the time of the 9/11 attacks, OEM was located at 7 World Trade Center. I worked on the 23rd Floor. The Office of Emergency Management activates the Emergency Operations Center and is responsible for managing New York City's planning and response to major incidents and accidents.

4. I arrived at work around 6:30 a.m. on the morning of 9/11. At around 8:45 a.m., I heard a plane fly over the building and hit the North Tower (1 WTC). I saw the explosion and a

huge fireball generated by the impact of the airplane into the face of the building. I then located my supervisor, OEM Deputy Commissioner (DC) John Oddermatt, and I briefed him on the horrible events that I had just witnessed. I could see all of the events at the North Tower as they transpired. I initially thought that the explosion at the North Tower had been caused by a surface to air missile. DC Oddermatt told me to go and open the entire Citywide Command in 7 World Trade Center, which would allow me to have access to every emergency agency located in New York City, New York State, and federal agencies.

5. At about this time, via closed circuit TV, I personally watched the second plane strike the South Tower (2 WTC) from approximately one thousand feet away. I immediately contacted the Federal Aviation Administration (FAA) regarding the two airplanes that had struck the World Trade Center Towers. The FAA representative informed me that there was at least one additional airplane that was missing which could also be headed for the New York City area.

6. FDNY Captain Richard Rotanz, my immediate supervisor, immediately ordered the evacuation of 7 World Trade Center for fear that the missing third airplane could impact the Citywide Command building to disrupt NYC emergency communications and the surrounding area. I later learned that the missing airplane had crashed in Pennsylvania. Captain Rotanz and I then quickly made our way from our offices to the Fire Command Post in the North Tower. As we moved from 7 World Trade Center to the North Tower, the scene looked like a war zone, and we were forced to step over human bodies and human body parts in making our way to the Fire Command Post.

7. After we had reached the Fire Command Post in the North Tower, the South Tower collapsed. Captain Rotanz and I were immediately buried and trapped by the collapsing debris. Despite the carnage, we successfully extricated ourselves from the collapsed debris and escaped

the building. But during the collapse of the South Tower, I injured my head and a finger on my right hand, and I also received multiple scrapes and bruises from the falling debris. Further, due to the thick clouds of smoke, dust, and debris that engulfed me, I inhaled large amounts of these dust clouds, and I was also exposed to numerous toxic substances. To this day, I continue to experience serious lung problems from the dust and debris that I inhaled on 9/11.

8. After I extricated myself from the fallen debris, I saw numerous people around me that had been crushed to death. To avoid being crushed from the large amount of debris that continued to fall, Captain Rotanz and I managed to make our way to a protected overhang area. We then split up as we made our escape. As I left the scene to meet with NYC Mayor Rudolph Giuliani and Police Commissioner Bernard Kerik, I saw an injured police officer and carried him to a nearby ambulance. I then turned and saw the complete chaos and destruction behind me as the North Tower collapsed.

9. As a result of these terrorist attacks, I suffered the following specific physical injuries on September 11, 2001: a closed head wound, a permanently dislocated right finger, multiple scrapes, bruises and contusion, chronic rhinitis, sinusitis, upper respiratory disease, reactive airway dysfunction, obstructive airway disease, spots on my lungs, GERD, sleep apnea, and cancer (basal cell carcinoma) on my face.

10. I further suffered, and continue to suffer, severe emotional distress as a result of these terrorist attacks. I suffered and continue to suffer from anxiety and bouts of depression due to these traumatic events almost daily, triggered by certain smells, sounds and views. I have been diagnosed with a major depressive disorder with recurrence, post-traumatic stress disorder, an anxiety disorder, and a panic disorder. The horrific events that I witnessed on 9/11 directly caused

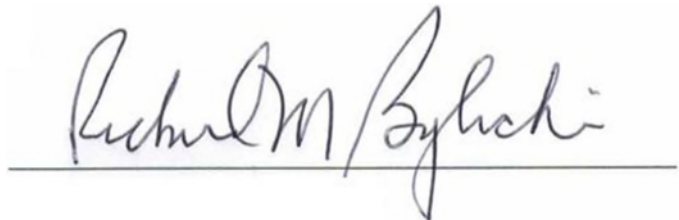
all of the above conditions, which continue to this day. I have been deemed totally disabled by both the NYC Police Department and the Social Security Administration.

11. I sought and continue to seek medical attention on a monthly basis for my injuries caused by these terrorist attacks. Attached as Exhibit B to this Declaration is a true and correct copy of my select relevant medical records related to the treatment that I received for my physical and emotional injuries following the September 11, 2001 terrorist attacks.

12. I previously pursued a claim through the September 11th Victim Compensation Fund (VCF Number 212-005485) specifically related to my physical injuries incurred on September 11, 2001, and my claim was determined to be eligible for compensation.

I DECLARE, VERIFY AND STATE UNDER PENALTY OF PERJURY that the foregoing is true and correct.

DATED this 9th day of October 2020.

A handwritten signature in dark ink, reading "Richard M. Bylicki", is written over a horizontal line. The signature is cursive and stylized.

Declarant Richard M. Bylicki

**EXHIBITS
FILED
UNDER SEAL
(ECF No.
5716)**